

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

UNITED STATES OF AMERICA,

§

Plaintiff,

§

v.

§

SA-23-CR-00497-XR

JUAN RAMON HERNANDEZ-
LIMON

§

§

§

§

Defendant.

JUAN RAMON HERNANDEZ-LIMON'S SENTENCING MEMORANDUM

TO THE HONORABLE XAVIER RODRIGUEZ, UNITED STATES DISTRICT JUDGE:

Given Juan Ramon Hernandez-Limon's personal history, the nature, and circumstances of the offense, and 18 U.S.C. § 3553(a) sentencing factors, he respectfully requests a sentence of time served. This sentence would be a downward variance from the advisory guideline range. Mr. Hernandez-Limon believes such a sentence is consistent with Congress's overarching directive that a sentence be "sufficient, but not greater than necessary to comply with the purposes" of sentencing. 18 U.S.C. § 3553(a).

Characteristics and History of Juan Ramon Hernandez-Limon - § 3553(a)(1).

Juan is a 27-year-old man who has faced significant challenges in his life. Born in another country, he was brought to the United States at just six months old.

Growing up, America was all he knew, and he embraced its culture as his own. At 17, Juan became a DACA recipient, granting him the ability to live and work legally in the United States for two years. However, when his DACA status expired in 2015, Juan was left in a state of uncertainty and vulnerability, knowing he could be detained and deported from the only home he had ever known.

At age 20, Juan's life took an unexpected turn when he was arrested for possession of marijuana. Placed on deferred adjudication, he completed his sentence, only to be deported by immigration authorities in 2018. Returning to San Antonio, where his family resided, he found work as a welder.

In 2020, at 24 years of age, Juan was arrested for being illegally in the country and for being an alien in possession of firearms. He was arrested at his apartment and cooperated fully with law enforcement, and after serving his sentence, he was deported.

On July 8, 2021, he arrived by bus to Acuña, and Juan had to find a local bus to take him to Nueva Laredo, where his grandparents lived. However, within hours of arriving in Nueva Laredo, Juan was stopped by individuals affiliated with Mexican criminal organizations, the cartel, and subjected to questioning. Juan tried to protect his family by telling them he knew no one in the United States. He explained how he lived with his grandparents and had lived his life in Nueva Laredo. Juan knew the consequences of resisting or refusing to comply with the cartel's

demands could be severe and life-threatening. He knew full well that those who resisted or attempted to escape faced violence, extortion, and even deadly reprisal against themselves and their families. After a harrowing few months of dodging the cartel and their demands, Juan made the decision to return to the United States.

Those events exemplify the immediate and severe dangers that Juan encountered upon his return to Mexico. This experience underscores the genuine fear for personal safety that drove Juan to seek refuge in the United States for a second time. The pervasive influence and risks posed by criminal organizations in Mexico, particularly the threat of violence and coercion, have profoundly impacted Juan's life and choices.

Two years after returning to San Antonio, Juan is providing for his family, working as a welder, and expecting his first child. On August 31, 2023, while Juan was arriving at work, he gets stopped at the gate and taken into custody by immigration authorities.¹ Panic and distress gripped him as he thought of his wife and their unborn baby. The thought of being sent to a foreign land, a place where only nightmares live, and leaving behind everything he knows, is paralyzing for Juan. The uncertainty of his future looms heavily over him, leaving him with a profound sense of displacement and disconnection from everything he holds dear.

¹ See Exhibit 1. Employer's letter.



On January 10, 2024, Daleyza Olivia Hernandez, was born. Juan has only been able to witness his daughter's milestones through video calls on his tablet, but his pride and love for her are evident. His sole desire is to ensure her safety and well-being, and he is steadfast in his dedication to being a responsible and loving father.

Juan's family, his mother, brothers, and sister, have hired an immigration lawyer to fight Juan's deportation and request withholding of removal.

Juan and his girlfriend have also had profound discussions about their family's future, recognizing the obstacles they face in staying legally in the United States. If they are unsuccessful in immigration court, their intention is to build a life in Mexico, particularly in the interior or tourist destinations. These plans reflect Juan's and Nadia's commitment to creating a stable and nurturing environment for their daughter.

For all the foregoing reasons, Mr. Juan Ramon Hernandez-Limon, prays that the Court impose a sentence below the advisory Guideline range in accordance with



§ 3553(a) and find that an imprisonment range of five months, time-served, is “sufficient, but not greater than necessary to comply with the purposes” of sentencing.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on February 5, 2024, I electronically filed Defendant's Sentencing Memorandum with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following: Kelly Griffith Stephenson, Assistant U.S. Attorney, via electronic mail.

/s/ MARINA-THAIS DOUENAT
Attorney for Juan Ramon Limon-Hernandez